

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

UNITED STATES OF AMERICA

v.

Criminal Action No. 1:11-0224

SHEILA SMITH

ORDER

Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C) and by consent of the parties, this matter was referred to the United States Magistrate Judge R. Clarke VanDervort for purposes of the defendant entering a plea of guilty. (Doc. No. 31). At that hearing on February 14, 2012, the defendant voluntarily waived her right to have an Article III Judge preside over her guilty plea, instead proceeding in front of Magistrate Judge VanDervort.

Magistrate Judge VanDervort submitted to the court his Findings and Recommendation on February 14, 2012, in which he recommended that the court **ACCEPT** the Defendant's plea of guilty to Count One of the Indictment. (Doc. No. 37). In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days, plus three mailing days, in which to file any objections to Magistrate Judge VanDervort's Findings and Recommendation. The failure of any party to file such

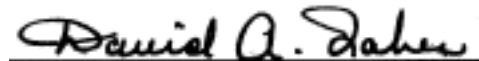
objections within the time allotted constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

Neither party filed any objections to the Magistrate Judge's Findings and Recommendations within the required time period. Accordingly, the court adopts the Findings and Recommendations of Magistrate Judge VanDervort and **ACCEPTS** the defendant's plea of guilty, and the defendant stands provisionally guilty of Count One of the indictment.

The Clerk is directed to forward a copy of this Order to counsel of record.

IT IS SO ORDERED on this 12th day of March, 2012.

ENTER:

A handwritten signature in black ink, appearing to read "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge